



PATENT

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JAN 13 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David Frederick HORROBIN

Serial No.: 09/898458

Group Art Unit: 1615

Filed: July 5, 2001

Examiner: L. S. Channavajjala

For: VITAMIN K AND ESSENTIAL FATTY ACIDS

**RESPONSE**

Commissioner of Patents  
Washington, DC 20231

Sir:

In response to the Official Letter mailed October 1, 2002, kindly enter the following remarks in the above-captioned application.

**REMARKS**

This is submitted as a full and complete response to the outstanding Official Letter. The Examiner has required an election of species taking the position that claim 1 is generic and grouping the species as Group I, nutritional and pharmaceutical formulations grouped as claims 1-9 and 22-30; Group II, a second group of nutritional and pharmaceutical formulations and here the Examiner has identified the same claims as Group I but it is thought the claims should be claims 10-17 and 31-38; and Group III, foodstuffs and it is thought these claims should be identified as claims 18-21 and 39-42.

The applicant herewith elects to continue prosecution on the claims of Group I, namely claims 1-9 and 22-30 noting that claim 1 is generic. This election is made without

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traverse and should a generic or subgeneric claim be found allowable that covers the non-elected claims, it is understood those claims may well be allowed in this application.

Early and favorable action on the merits of the elected species is courteously awaited.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: \_\_\_\_\_

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